

Exhibit D

Compilation of Codes, Rules and Regulations of the State of New York Currentness  
Title 9. Executive Department  
Subtitle AA. State Commission of Correction  
Chapter I. Minimum Standards and Regulations for Management of County Jails and Penitentiaries  
Subchapter A. Minimum Standards and Regulations  
Part 7063. Chemical Agents (Refs & Annos)

9 NYCRR 7063.3

Section 7063.3. Authorization for the use of chemical agents

- (a) No chemical agents shall be used by facility staff without proper authorization pursuant to the requirements of this section.
- (b) Authorization for the use of chemical agents shall emanate from the highest authority available within the facility. Except as otherwise provided in subdivision (c) of this section, only facility staff in a supervisory position who have been designated in writing by the chief administrative officer and have been trained in the use of chemical agents shall have the authority to order the use of such agents.
- (c) In emergency cases, when a delay in the use of chemical agents presents an immediate threat of death or serious injury or severely threatens the safety or security of the correctional facility, facility staff trained in the use of chemical agents shall have the authority to use chemical agents without authorization.

**Credits**

Sec. filed Dec. 29, 1977; repealed, new filed Jan. 19, 1988 eff. Feb. 3, 1988.

Current with amendments included in the New York State Register, XXXVIII, Issue 36 dated September, 2016.

9 NYCRR 7063.3, 9 NY ADC 7063.3

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